In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R.No.1973 of 2007 (O&M)
Decided on April 17,2007.

Mohinder Singh -- Petitioner

vs.

Chain Singh -- Respondent.

Present: Mr. Sandeep Arora, Advocate, for the petitioner

Pritam Pal,J: (Oral)

This Civil Revision by petitioner/defendant Mohinder Singh, filed under Article 227 of the Constitution of India, is directed against order dated March 06,2007,whereby an appeal filed by the petitioner before the first Appellate Court against an ad-interim injunction order of the trial Court, was dismissed. It is observed in the impugned order that as per entries incorporated in the jamabandi of the suit land, both the parties are co-sharers and there is a tube-well in the name of petitioner Mohinder Singh. The entire land is being irrigated by the tube-well. There is also an affidavit dated July 31,1999 of the father of the parties (though the same is disputed by counsel for the petitioner), which indicates that said tube-well is in fact, joint. Even otherwise, the petitioner has been restrained from digging out the land. However, he is at liberty to cultivate the land, which is under his possession.

Taking an over-all view of the facts and circumstances

of this case, I find no illegality or impropriety in the impugned order. Hence, this Civil Revision is hereby dismissed in *limine*.

Before parting with this order, it is directed that the trial Court shall make an endeavour to dispose of the Civil Suit before it, expeditiously, preferably within nine months from the date of receipt of a copy of this order.

April 17,2007 (Pritam Pal)
RR Judge